



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

REBECCA E. CAHOON ET AL.

CASE NO.: BB 1159

APPLICATION NO.: 09/744,099

GROUP ART UNIT: 1652

FILED: JANUARY 16, 2001

EXAMINER: C. FRONDA

CONFIRMATION NO.: 3054

FOR: CHORISMATE BIOSYNTHESIS
ENZYMES

TELEPHONE 1600/2900

JUN 13 2002

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**PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Office Action of April 22, 2002, and before examination on the merits, please amend the above-referenced application as follows and consider the following remarks.

IN THE CLAIMS:

Please cancel claims 13-33.

Please add the following claims:

34. "new" An isolated polynucleotide comprising:

(a) a nucleotide sequence encoding a polypeptide having 3-dehydroquinate synthase activity, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:6 have at least 80% identity based on the Clustal alignment method, or

(b) the complement of the nucleotide sequence.

35. "new" The polynucleotide of claim 34, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:6 have at least 90% identity based on the Clustal alignment method.

36. "new" The polynucleotide of claim 34, wherein the amino acid sequence of the polypeptide and the amino acid sequence of SEQ ID NO:6 have at least 95% identity based on the Clustal alignment method.

37. "new" The polynucleotide of claim 34, wherein the nucleotide sequence comprises the nucleotide sequence of SEQ ID NO:5.

38. "new" The polynucleotide of claim 34, wherein the amino acid sequence of the polypeptide comprises the amino acid sequence of SEQ ID NO:6.